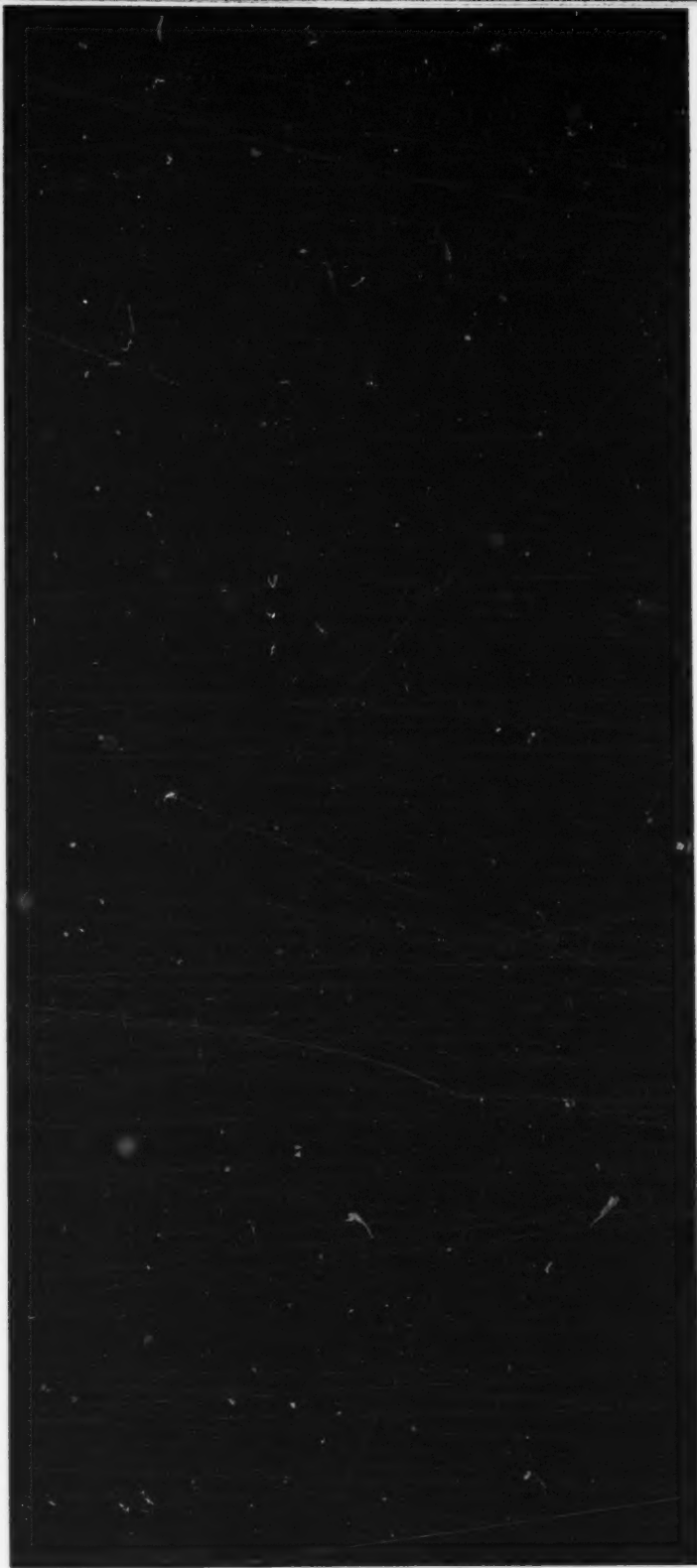
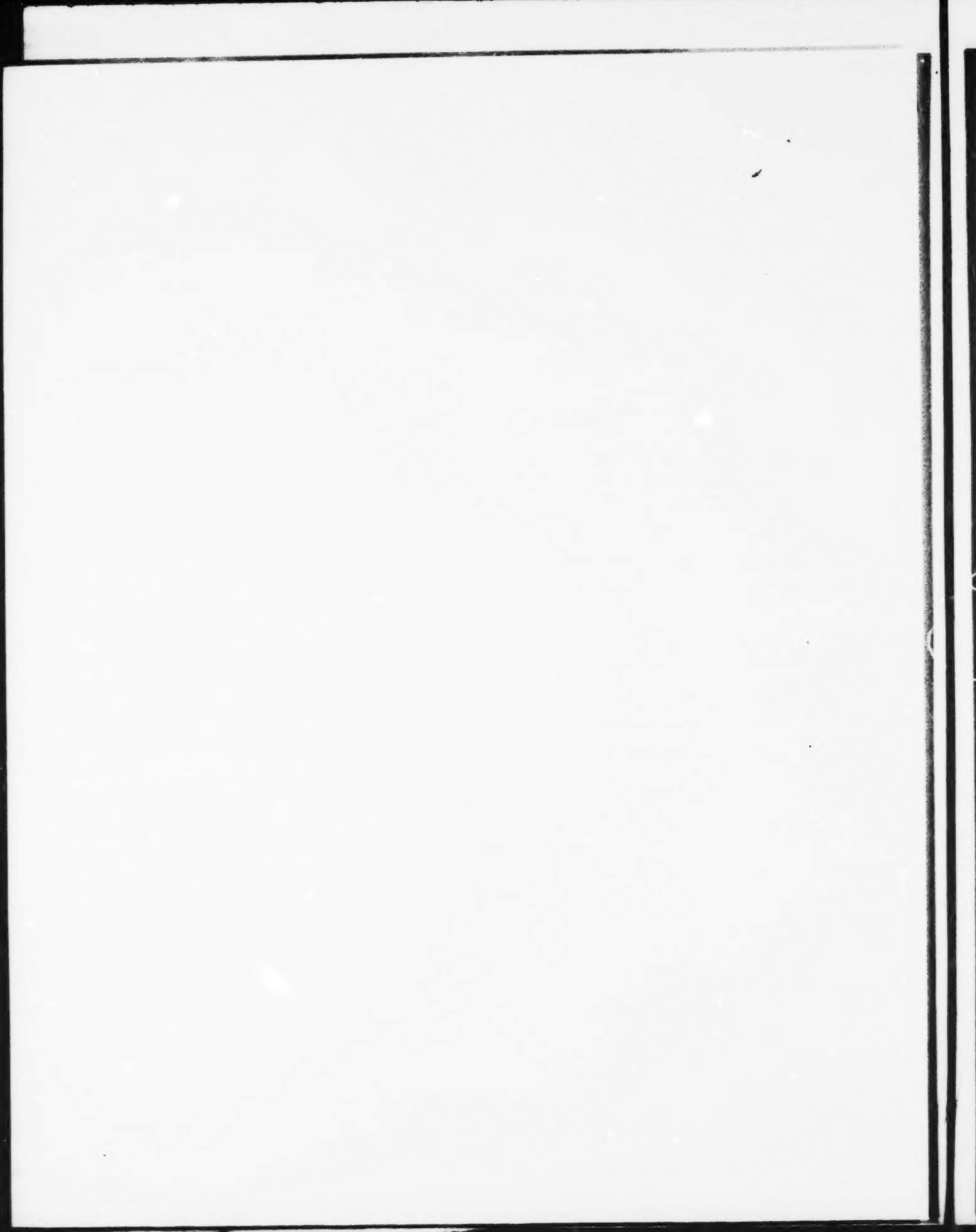


AGRICULTURAL LAND



THE ROLE OF THE ALBERTA PLANNING BOARD



AGRICULTURAL LAND: THE ROLE OF THE ALBERTA PLANNING BOARD

Prepared by
The Alberta Planning Board

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Additional Copies Of This
Booklet May Be Obtained
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THE GOVERNMENT'S APPROACH

Support for Conservation

The Government of Alberta recognizes the importance of agriculture to the well being and prosperity of the Province and recognizes the need for ensuring that agricultural lands are conserved wherever this is feasible. The operation of the land use planning system, which falls under the jurisdiction of the Alberta Planning Board, provides the means for achieving this objective.

This booklet explains the Alberta Planning Board's policies on the conservation of agricultural land and the role it plays in ensuring that these policies are carried out.

The Landowner's Rights

How agricultural land is used naturally rests with the individual farmer and the landowner. This right to use private property as the owner thinks best is limited only when the interests or rights of other citizens are adversely affected. The Provincial Government, through the Planning Act, has sought to protect the rights of the landowner, but it also recognizes that, in certain circumstances, the greater public interest must be served.

The purpose of the Planning Act is to provide means whereby plans and related measures may be prepared and adopted to:

- achieve the orderly, economical and beneficial development and use of land and patterns of human settlement, and
- maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta.

and to do so "without infringing on the rights of individuals except to the extent that is necessary for the greater public interest". (Section 2, Planning Act, RSA 1980)

Competing Demands for Agricultural Land

Much of Alberta's land base is suitable for agricultural production. Competing demands from other economic uses put pressure on this resource (Figure 1). Frequently, the lands most sought after for other uses are those which are best for agriculture. Historically, settlements often sprang up to serve rural areas, and needed to be located centrally; and physically, the better agricultural lands are also well-suited for other uses. They are often flat and well-drained, and therefore cheaper to develop than the poorer lands.

Roads, railways, airports and utilities; resource extraction facilities; and activities serving the farming community are widely distributed throughout the agricultural areas. In the vicinity of settlements, there is the demand for land for country residences, industrial plants, parks and recreation areas, and other uses.

What the individual farmer decides to do with his land is influenced by his assessment of how much return he will make from his investment in his farm and equipment. And the extent of his economic rewards will be influenced by the agricultural market in Canada and elsewhere.

Frequently, the competing uses for agricultural land are a more intensive use of the land, allowing other uses to financially outbid agriculture. This may result in land being sold and then used for nonagricultural purposes, resulting in its loss to agriculture.

A Balanced Approach

While the Government has a commitment to the preservation of better agricultural lands, it also recognizes that communities must grow, and land will be required for industrial plants, businesses, transportation facilities, recreation facilities and a number of other uses. These are important to the economic health of the Province, and must be accommodated wherever they can be, while minimizing adverse impacts on agriculture. This involves careful judgement by all those in the planning and development process to ensure that a balance is achieved between uncontrolled development, which may result in the indiscriminate loss of farmland; and rigid prohibition of development, which protects farmland, but injures other aspects of the economy.

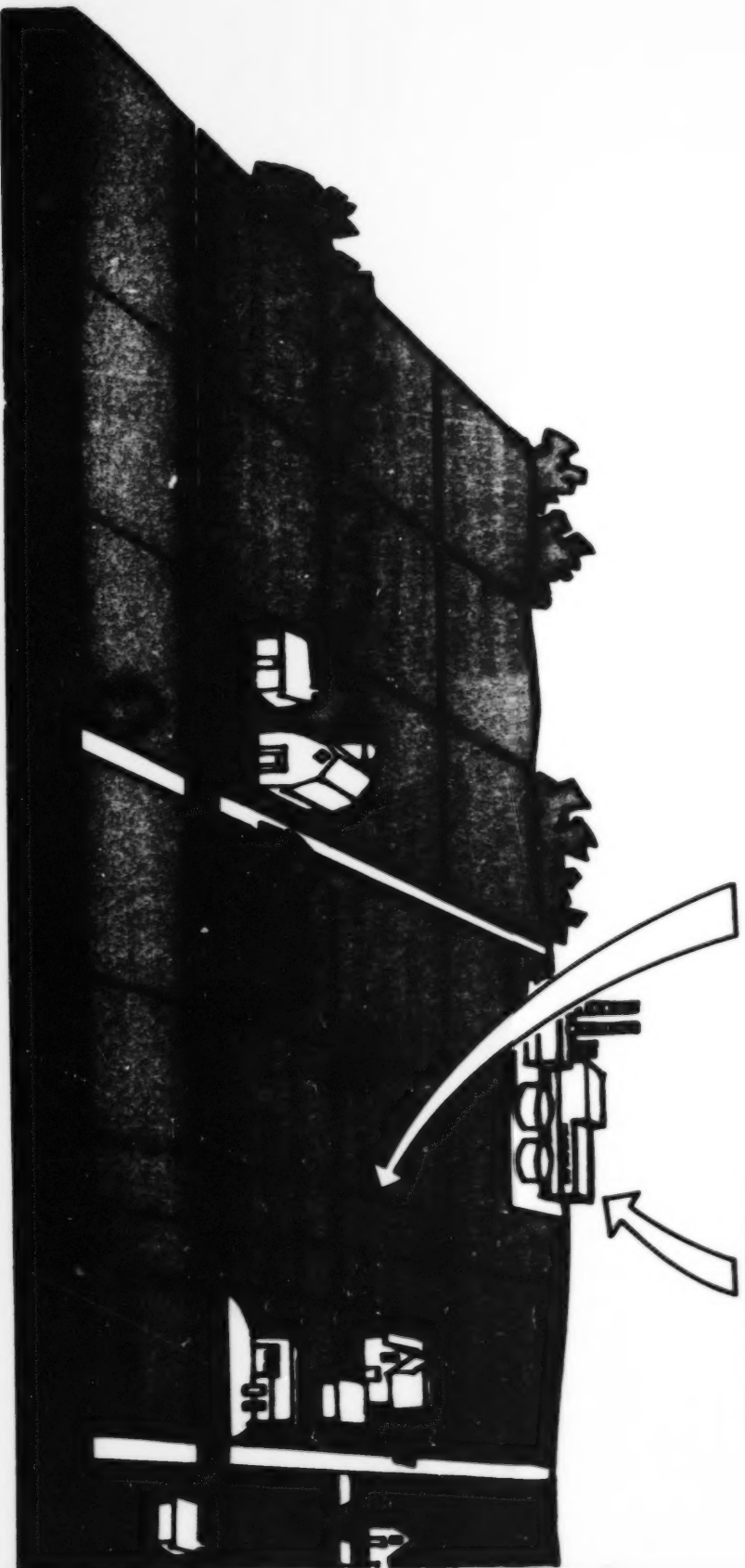
A prohibition of all nonagricultural uses on agricultural lands would not be practical or desirable, and would deprive the landowner of his rights, and would discriminate against other important economic activities.

The land use planning system provides a way in which judgements can be made about the best use for a particular piece of land. This is the approach favoured by the Board as a means of ensuring that agricultural lands are conserved, wherever possible, taking into account the other legitimate uses required by the people of the Province. The Board also believes that day-to-day decisions on land use matters should be made by elected people, who have a first-hand knowledge of the lands affected.

Figure 1 MAJOR COMPETING DEMANDS FOR AGRICULTURAL LAND

-
- Conversion of Best Lands**
- the best agricultural lands (CLI 1,2,3) are most sought after for development
 - their distribution is limited and generally close to settlements.
-

-
- Rural Industrial Developments**
- Industrial uses are a consumer of large areas of land
 - best agricultural lands are flat, well-drained and ideal for industrial development.
-



Development Within Urban Areas

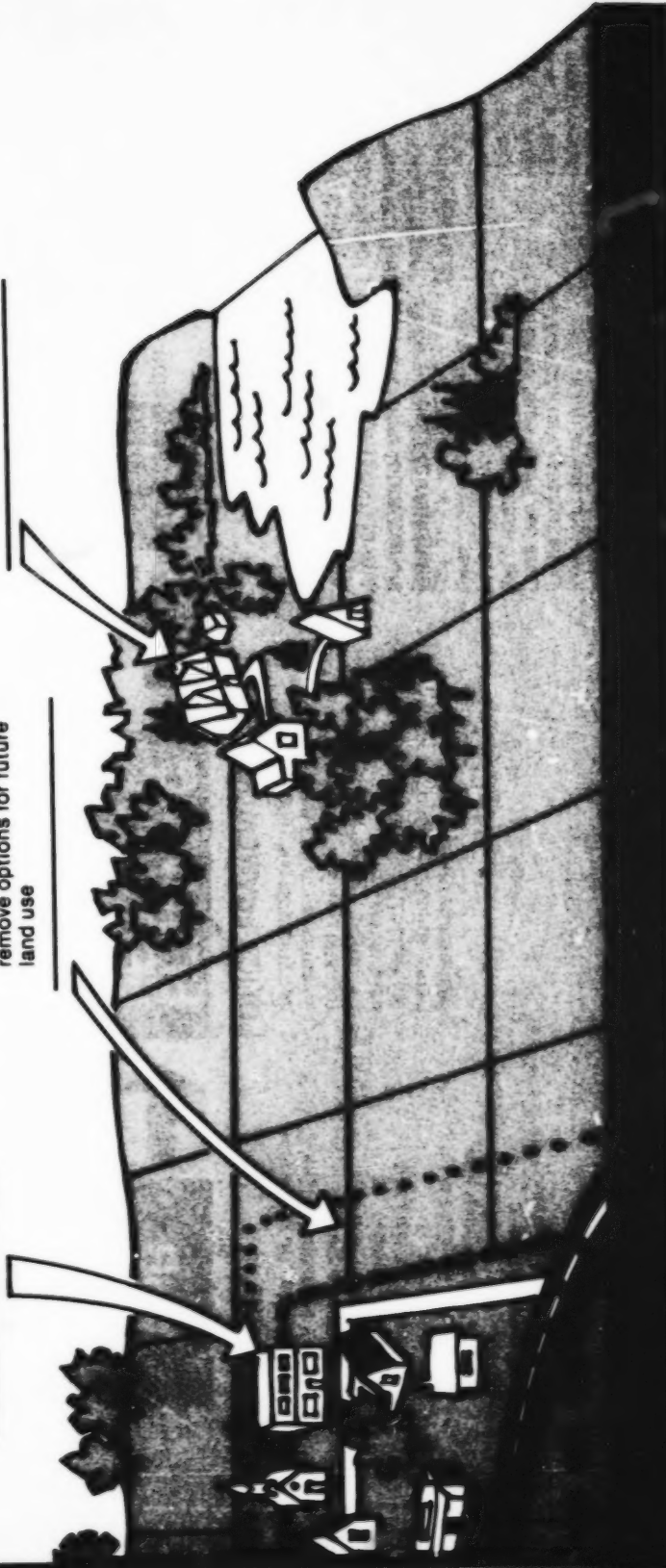
- occasionally, urban municipalities will have farmland within their boundaries
- premature conversion of these lands to urban uses will remove them from agricultural productivity before it is necessary.

Urban Fringe Areas

- urban sprawl and hopscotch developments outside built-up areas are costly to service and often unsightly
- premature spread of urban development can result in farmland being removed from agricultural uses before it is necessary
- premature development can remove options for future land use

Country Residential Developments

- country residential developments are extensive users of land
- frequently located on best lands, close to urban areas
- residents often pressure the agricultural community to remove intensive agricultural uses, and provide urban services.



THE BOARD'S POLICIES FOR CONSERVING AGRICULTURAL LAND

The Planning Act

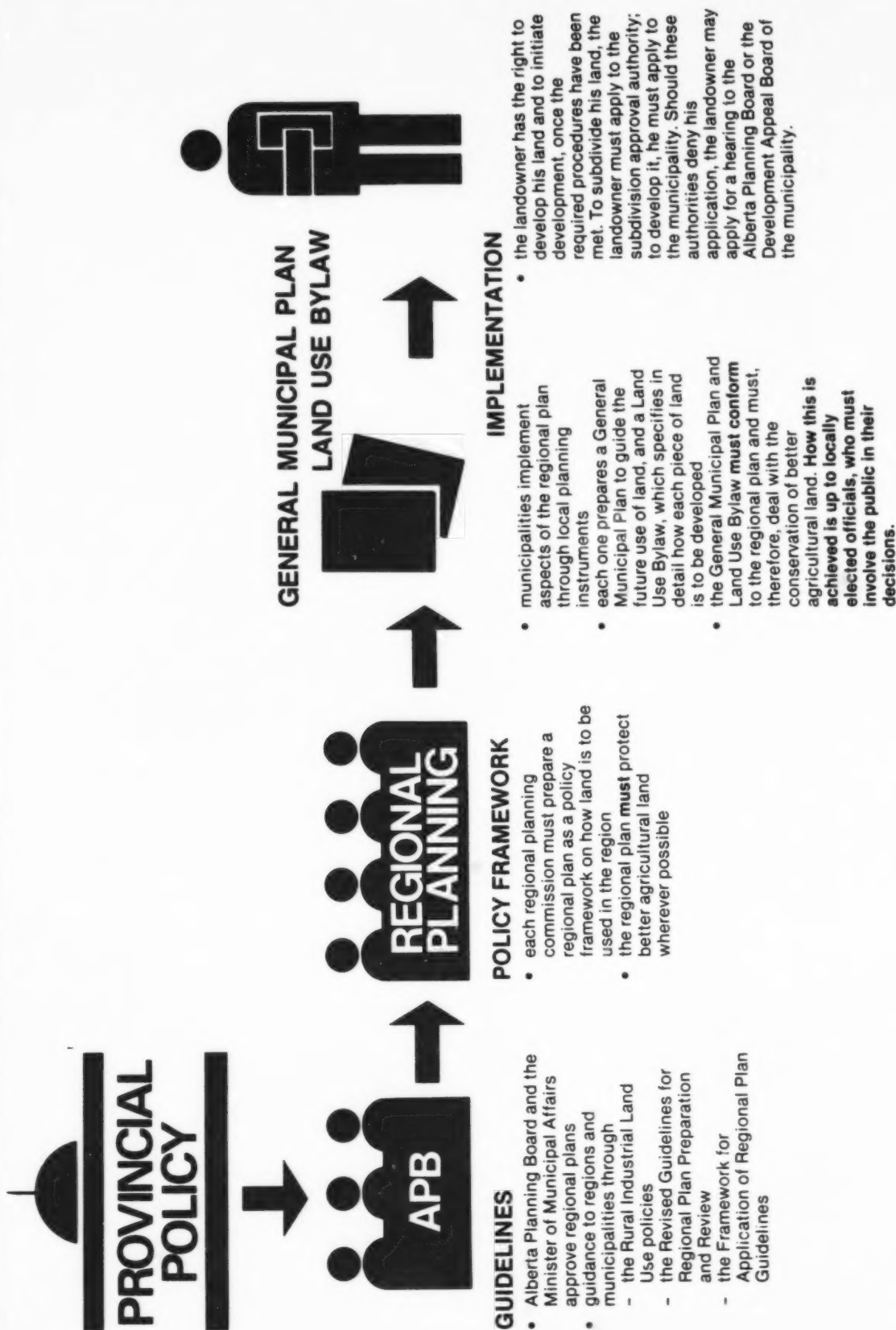
The Act establishes procedures and rules by which the orderly development and use of land are achieved. It also assigns particular responsibility to the Alberta Planning Board, regional planning commissions, municipal governments, and the individual land owner. Most decisions rest with locally elected representatives, with the Province's role largely being one of overseeing the system's proper functioning.

Land use planning is not the sole responsibility of any one agency or government. Both Provincial and municipal governments have a role in ensuring the orderly development and use of land through:

- the regional plan;
- the general municipal plan;
- the land use bylaw and;
- the Subdivision Regulation

Each one has a specific function and varies in the land area to which it applies. The Planning Act provides for different levels of planning instruments because there are land development issues which are locally significant, while others are regionally or Provincially significant (Figure 2).

Figure 2
HOW PROVINCIAL PLANNING POLICY IS IMPLEMENTED



Four Roles Supporting Conservation

The Planning Act assigns a number of roles to the Alberta Planning Board. There are four which are particularly important to agricultural conservation:

1. to provide guidance on the contents of regional plans;
2. to review regional plans and changes to them (regional plan amendments); to approve them or not; and to make recommendations to the Minister of Municipal Affairs on whether they should be ratified or not;
3. to serve as a quasi-judicial body, to hear and resolve disputes between agencies on planning matters; and
4. in its role as a quasi-judicial body, to conduct hearings into appeals from decisions made by subdivision approving authorities. (Figure 3).

The Minister of Municipal Affairs and the Board have prepared guidelines by which the Provincial Government policies on conserving agricultural land are implemented. These are used by the Board when it reviews and approves regional plans. They also provide guidance to the regional planning commissions on the content of regional plans.

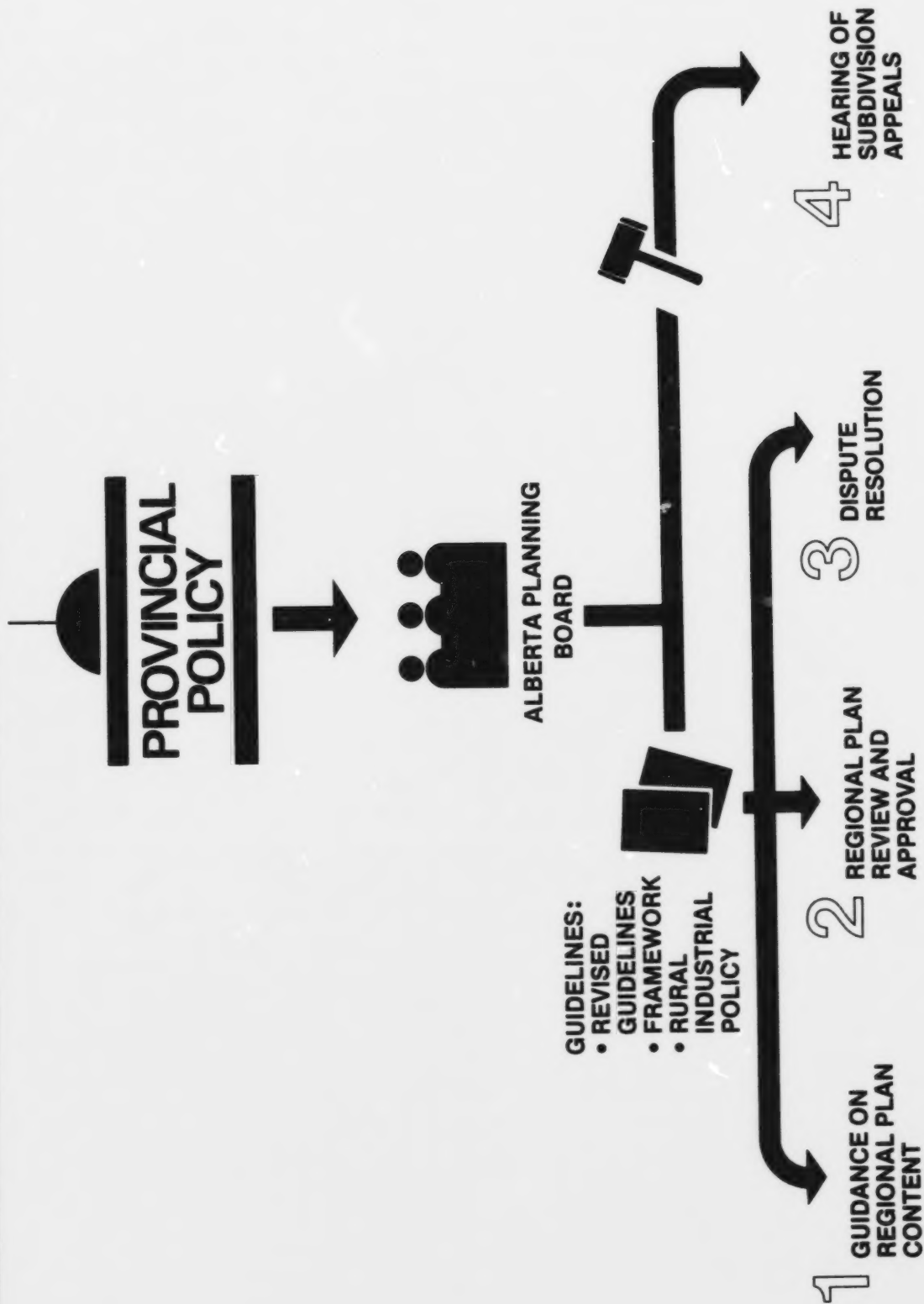
There are three documents which express these Provincial concerns:

1. **Revised Guidelines for Regional Plan Preparation and Review,**
2. **Framework for Application of Regional Plan Guidelines; and**
3. **Rural Industrial Land Use Guidelines**

Regional plans are approved by the Board in accordance with these guidelines.

Since all land use planning activities at the municipal level must conform to the regional plan, these guidelines have an important impact on the nature of local land use planning and development. They also ensure that Provincial policies on the conservation of agricultural land have an influence on local land use decisions.

Figure 3
ROLES OF THE BOARD IN CONSERVING AGRICULTURAL LAND



Key Role of Regional Plans

The Planning Act obliges a regional planning commission to prepare a regional plan for its region. There are ten regional planning commissions in the Province, and an area in which the Department of Municipal Affairs performs a similar function.

The regional plan is a document which guides the physical development of a region. It is designed to provide a wide perspective to planning and is important in establishing a framework within which local municipal planning can occur. **All municipal planning instruments are required to conform to the regional plan.**

Regional planning is, for the most part, general in nature. This permits the more detailed planning to be carried out at the local level. Municipalities thus have flexibility in translating regional policies to the local circumstances, while ensuring that broad regional concerns are addressed.

Board Policy on Conserving Agricultural Land

Through its guideline documents, the Alberta Planning Board specifies policies on the conservation of agricultural land. There are five policy areas:

1. Protection of the Better Lands

A major role of a regional plan is to provide criteria for the identification and conservation of better agricultural lands. Once the criteria are in place, it is the municipalities' responsibility to ensure that better agricultural lands are conserved. The Province has directed that regional plans make it mandatory for municipalities to protect better agricultural land, in their general municipal plans and land use bylaws.

2. Residential Development in Agricultural Areas

Regional plans must prohibit multi-parcel country residential development on better agricultural lands. Country residential development is an extensive user of land, and thus it can only be justified on poorer agricultural lands.

The only exception that the Board has provided for is the separation of a single developed residential parcel from an unsubdivided quarter section. The Provincial Government considers this a right, available to landowners across the Province. There are a number of reasons for such a policy:

1. it preserves the right of the landowner to dispose of his agricultural operations and still reside on the farmstead;
2. it allows for the disposition of surplus residential buildings no longer required for the agricultural operations;
3. it allows the landowner to mortgage only a portion of the property, leaving the rest free of financial encumbrances;

4. it provides an opportunity for family members to participate in the agricultural operation and for the transfer of farm operations to the next generation; and
5. it provides for an alternative style of rural living, other than clustered residential or hamlet living.

Provision must also be made in the regional plan for the separation of an alternative single parcel from an unsubdivided quarter section, for residential use. However, this alternative policy operates only at the discretion of the local municipality.

In both cases the Board has directed that only the minimum land area required be subdivided, so as to limit loss of agricultural land. In most cases, the parcel size is limited to 3 acres or less, unless a larger area is required to accommodate existing development.

3. Rural Industrial Land Uses

The guiding principle with respect to the conversion of better agricultural land to rural industrial uses is that it should only be permitted when suitable alternative locations are not readily available. If it is feasible in terms of servicing and transportation requirements, economic considerations, and environmental constraints, then rural industrial uses must be accommodated on poorer agricultural land.

It is the Board's view that municipalities are in the most advantageous position to make the necessary trade-offs between the competing uses, not only because they have the closest association with the issues involved, but also because they are accountable to the local people who will have to live with the results.

4. Urban Fringe Land Uses

Special policies apply to the urban fringe to prevent the premature conversion of agricultural land to nonagricultural uses, and to protect options for future urban expansion.

The Subdivision Regulation under the Planning Act prohibits country residential subdivision in the urban fringe, even on poorer agricultural land. The concern is that such development would pre-empt more intensive uses and place pressures on the conversion of better agricultural land for high density urban use.

Rural industrial and highway commercial uses in the urban fringe are permissible, on better agricultural land, only if no alternative locations are reasonably available.

The Board encourages annexation for urban use to be directed to poorer agricultural lands.

5. Development Within Urban Municipalities

It is difficult to impose restrictions on the change of land use from agricultural to urban development, since the majority of urban municipalities in Alberta are located on better agricultural lands. To prohibit the expansion of urban land uses onto agricultural land would essentially result in a no-growth situation for many urban municipalities. Yet it is important to consider the manner in which urban development occurs, since premature conversion would result in unnecessary and early losses of agricultural use. For this reason, emphasis is placed on avoiding premature conversion of agricultural land for urban uses.

How Regional Plans Conserve Better Agricultural Land

The regional plan is authorized by the Planning Act, prepared by the elected members of the regional planning commissions and their professional staff, and is subsequently reviewed and approved by the Board and Minister of Municipal Affairs.

During the preparation of regional plans, inputs are received from municipal governments, Provincial departments and the Alberta Planning Board. Opportunities are provided for citizen involvement, through the public hearings required under the Planning Act.

These processes are designed to ensure that the regional plans reflect public wishes to the fullest extent possible.

The regional plan is the only plan to which all other municipal plans, land use bylaws, and planning actions must conform. No municipality may enact any bylaw or take any action or authorize any development which is in conflict with the regional plan. Nor may a subdivision be authorized by a subdivision approving authority that is inconsistent with a regional plan. The regional plan is given this authority since it provides policies that deal with regionally-significant concerns and guides growth at the regional scale.

For this reason, the Alberta Planning Board has put a great deal of effort into ensuring that each regional plan fully meets its policies on the conservation of agricultural land.

THE ALBERTA PLANNING BOARD'S POLICIES TO CONSERVE AGRICULTURAL LAND

Abstracted from *Framework for Application of Regional Plan Guidelines and Rural Industrial Land Use — Some Policy Guidelines for the 1980's*

1. **Conservation of Better Lands**
 - A Regional Plan shall provide for the conservation of better agricultural land by defining in the plan (for the guidance of municipalities) the criteria for the identification of these lands.
 - The Regional Plan shall require that the General Municipal Plans and Land Use Bylaws identify and protect better agricultural land for uses related to agricultural production, and shall provide statements to guide the exercise of discretion at the municipal level.
2. **Residential Development in Agricultural Areas**
 - The Regional Plan shall prohibit county residential subdivisions, on better agricultural lands. There shall be no exceptions for county residential development on lands defined as better agricultural land.
3. **Rural Industrial Land Uses**
 - Regional plans and other planning instruments must recognize the economic, environmental and other imperatives associated with the accommodation of industrial development....
 - The following types of industrial development are allowed within rural areas:
 - industries providing products or services directly associated with the agricultural industry....
 - natural resource extractive industries, the location of which is governed by natural geographic or geological features
 - non-labour-intensive industries requiring relatively large areas of land....
 - industries offensive or hazardous to human health, safety and well-being....
4. **Urban Fringe Land Uses**
 - The Regional Plan shall provide special treatment for the urban fringe in order to provide for the rational conversion of land from rural to urban uses. This may be done by the development of policy or criteria for the guidance of General Municipal Plans, in the areas of:
 - growth management strategies
 - orderly change avoiding the conversion of agricultural land to non-agricultural uses wherever alternative courses of action are reasonably available
 - phasing and timing
 - access
 - compatibility of adjacent land uses.
5. **Development Within Urban Municipalities**
 - The Regional Plan should describe regionally significant land uses within urban municipalities, such as: regional servicing and transportation corridors, regional commercial development, and regional environmental features
 - The Regional Plan should contain statements designed to protect regionally significant land uses and provide guidelines designed to prevent the premature conversion of better agricultural land to urban uses
 - The Regional Plan shall require the identification and protection of regionally significant land uses through General Municipal Plans and Land Use Bylaws in accordance with criteria established in the Regional Plan
 - The Regional Plan shall require General Municipal Plans to contain policies for the management of growth in urban areas, and the conversion of agricultural lands to urban uses.

SAMPLE REGIONAL PLAN POLICIES TO CONSERVE AGRICULTURAL LAND

Abstracted from the approved regional plan for Battle River Regional Planning Commission, and the draft regional plans for Calgary, Edmonton Metropolitan and Palliser Regional Planning Commissions.

1. Protection of Better Lands

- Rural land which is capable of producing a reasonable cereal or forage crop shall be preserved for agriculture, unless it is clearly in the greater public interest to allow the land to be lost to agriculture. The protected lands will be:
 - (a) east of the first climate line shown on Canada Land Inventory Maps, all class 1, 2 and 3 soils, plus any class 4 soils which are cleared and in production; and
 - (b) west of the climate line, all class 1, 2, 3 and 4 soils, plus any class 5 soils which are cleared and in production.
- ... municipalities shall discourage non-agricultural uses such as urban expansion, rural industrial and rural commercial on high capability agricultural lands except where
 - (a) no alternative locations are reasonably available; and
 - (b) only the minimum land area required for the development is used.

BRRPC

CRPC

2. Residential Development in Agricultural Areas

- In these protected agricultural areas, a full quarter section will be the minimum agricultural parcel size. The following exceptions may be made to this policy:
 - (b) one set of existing buildings with a habitable house, or a serviced site (as defined by the municipality) with an adequate safe water supply may be subdivided out of a quarter section which is to remain in agriculture. The subdivided parcel shall be as small as possible in order to conserve agricultural land.

BRRPC

- Higher capability agricultural land shall not be subdivided for multi-lot country residential use.

CRPC

- Subdivision approving authorities shall prohibit multiple parcel country residential subdivisions on better agricultural land, except where such subdivision consists of minor infilling of existing country residential areas.

EMRPC

3. Rural Industrial Land Uses

- The Commission's policy therefore will be to examine on its own merits each rural industrial proposal referred to it, and to make a decision taking into consideration:
 - (a) the wishes of the municipality,
 - (b) the Alberta Government's Rural Industrial Land Use Policy,
 - (c) the effect on agriculture and the agricultural land base,
 - (d) the effect on local and regional transportation patterns,
 - (e) an analysis of offsite effects, and
 - (f) the views of neighbouring municipalities

BRRPC

- Rural Industrial Parks and rural industrial uses shall not be allowed on higher capability agricultural land, unless alternative locations are reasonably available.

CRPC

4. Urban Fringe Land Uses

- To ensure urban fringe areas develop in a compatible manner, rural municipalities shall address the importance of urban fringe areas in their statutory plans and land use bylaws, and consider:
 - compatibility of present and future adjacent land uses;
 - the location of transportation routes and other servicing aspects; and
 - the orderly conversion of agricultural land to non-agricultural uses.

PRPC

5. Development Within Urban Municipalities

- The following are considered to be of regional significance in urban centres:
 - (a) higher capability agricultural land,
 - (b) regional servicing and transportation corridors,
 - (c) regional commercial and industrial developments,
 - (d) regionally significant environmental features.
- Municipalities shall identify and protect these uses in their municipal planning documents. In the case of higher capability agricultural land, premature conversion to urban uses should be avoided.

CRPC

How Regional Plans Relate to the Municipal Level

Regional plans are policy-oriented documents, and as such their function is primarily to give direction to municipalities as they prepare general municipal plans and land use bylaws. The elements of control in a regional plan are limited to a few critical regional concerns, one of which is preserving better agricultural land. This recognizes that the authority to implement planning and land development belongs to the municipal government, and is done through the general municipal plan and the land use bylaw. Both these documents are required, however, to conform to the regional plan.

The general municipal plan sets objectives for growth and change for the municipality. It is largely concerned with physical development, and deals with such matters as the location of different types of land use and the direction of future growth.

A key role of the general municipal plan is to take the policies contained in a regional plan and to develop them in greater detail for application at the municipal level. The general municipal plan **must conform** to the regional plan. Since the regional plan is general in nature, the municipality generally has flexibility in interpreting regional policies to suit local conditions.

While the general municipal plan is more detailed than the regional plan, it is still not detailed enough to regulate the use of land and buildings for a specific site. This task falls to the land use bylaw.

The primary role of the land use bylaw is to implement and enforce the objectives and policies of the regional plan and the general municipal plan. The Planning Act prohibits approval of a subdivision application that does not conform to the regional plan, general municipal plan and land use bylaw. It also prohibits a municipality from issuing a development permit for a land use not prescribed in the land use bylaw.

In these ways, the Board's guidelines on conservation are reflected in the regional plan policies, and then translated and implemented through general municipal plans and land use bylaws.

THE BOARD'S ROLE IN DISPUTE RESOLUTION

The Dispute Resolution Role

The Alberta Planning Board is also most concerned with the conservation of agricultural land during dispute resolution. The Board, serving as a quasi-judicial body, may hear and decide upon the following types of dispute:

1. between municipalities, when the planning or development action of one municipality is alleged to have harmed an adjacent one;
2. between a regional planning commission and a local authority, when one feels that the other has taken an action which does not conform to the regional plan;
3. between a regional planning commission and a municipality, when the former refuses to adopt an amendment to a regional plan; and
4. between an applicant for subdivision, a municipal council and a school authority; and the subdivision approval authority, when any one of the former disagree with the decision of the subdivision approving authority, on a particular application for subdivision.

In the first three cases, the Board is guided by its own policies in the decision it makes on the dispute, as well as by the merits of each case itself. This gives weight to the Guidelines and Framework and serves to support the role of an approved regional plan in its conservation of agricultural land. It also allows the Board flexibility to deal with circumstances in which factors other than agriculture are important.

In the fourth case, the Board is required to **have regard** for the regional plan and municipal plan; and **must conform** with the uses of land specified in the land use bylaw. It may also take into account other factors too, if circumstances or local conditions suggest that these are important.

A fuller explanation of this role follows.

How the Subdivision Process Conserves Agricultural Land

Subdivision, in general, means the division of a parcel of land for the purpose of obtaining separate title to part of the original parcel. (Figure 4) The use to which the divided land is to be put is of concern to the local planning authorities, rather than the legal aspects of ownership. Under the Planning Act, a number of authorities have responsibility for approving the subdivision of land:

- the ten regional planning commissions
- the Department of Municipal Affairs, in areas without a regional planning commission; and
- certain municipalities.

Other municipalities may be named from time to time, by the Minister of Municipal Affairs.

These subdivision approval authorities examine applications from land owners seeking to subdivide their land, keeping in mind whether the proposed land use is allowed in:

- **the regional plan**
- any municipal **statutory plans**
- **the land use bylaw.**

A subdivision application must also meet the requirements of the **Subdivision Regulation**, which is a document setting out the procedures and requirements of the Government on subdivision matters.

The Subdivision Regulation prescribes in considerable detail the factors that a subdivision approving authority must take into account in making its decision. Several aspects of the Regulation relate to the conservation of agricultural land and the protection of agricultural operations:

Figure 4
HOW THE SUBDIVISION PROCESS CONSERVES AGRICULTURAL LAND

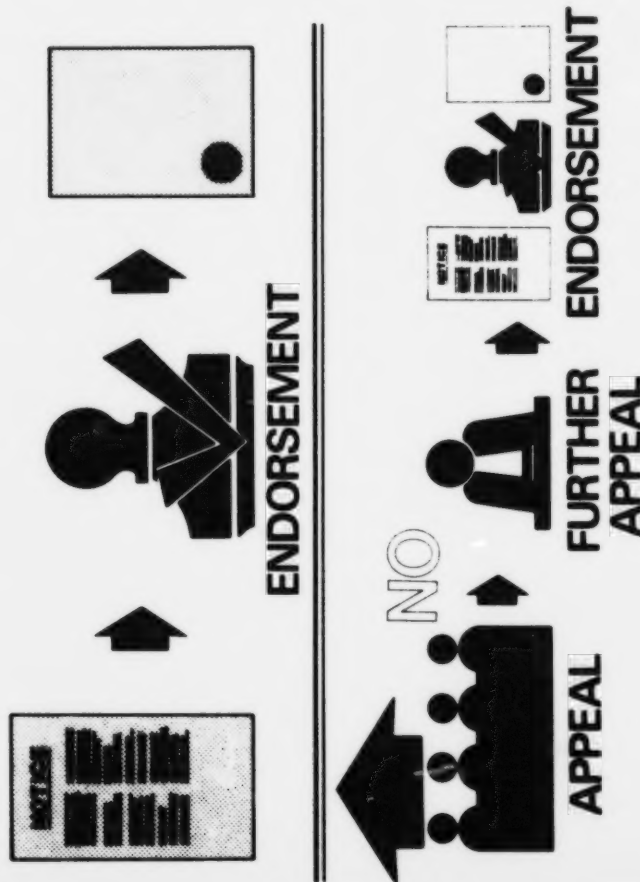


1. a subdivision approving authority cannot approve multi-lot country residential subdivisions unless the land has a low capability for agricultural use;
2. the size of a country residential parcel is limited to 10 acres;
3. country residential subdivision in the urban fringe, even on poor agricultural land, is virtually prohibited;
4. a separation distance is required between intensive agricultural operations and residential uses; and
5. government agencies with a direct responsibility for agricultural matters (i.e. Alberta Agriculture, and Irrigation Districts) can have input on subdivisions through the referral process, prior to approval.

THE LANDOWNER ... AND THE DECISION

A landowner may wish to subdivide his land in order to sell off a parcel or to develop it. After consulting the subdivision approving authority (usually, the municipality or the regional planning commission), he submits an application and this may be approved or denied. The subdivision approval authority will examine the proposed development to see that it meets the requirements set out in the land use bylaw or general municipal plan. It is also examined with regard to topography, soil conditions, accessibility to public roadways, compatibility with nearby developments and adequacy of water supply and sewage disposal facilities.

While the subdivision application is also reviewed by a number of agencies, the major responsibility for approval rests with the subdivision approval authority, on which are represented locally elected municipal officials.



Subdivision Appeals and the Board's Role

The Planning Act allows an individual to appeal a decision by the subdivision approving authority, either because an application was refused or the conditions imposed by the subdivision approving authority were unacceptable.

An appeal involves the Board in the consideration of all the facts relevant to the subdivision application. Under the Planning Act, the Board must have regard to the regional plan and municipal plans, and shall conform with the use of land referred to in a land use bylaw. In addition, the Board gives consideration to the merits of the application and the facts presented at the hearing, and makes a determination based on these and the relevant planning documents. In assessing the merits of an appeal relating to agricultural land, consideration is given to preserving better agricultural land wherever this is practically possible.

The Board, when sitting as an appeal body is, in law, a quasi-judicial body and is subject to the Administrative Procedures Act. The role of the Board is to act as a fair and impartial tribunal and as such, it cannot have any preconceived notions for allowing or dismissing appeals since these would mean it had prejudged the case rather than dealt with the issues as presented. This situation would violate the role and purpose of a quasi-judicial body.

THE APPEAL ... AND THE BOARD

If the landowner is dissatisfied with the conditions imposed on his subdivision application, or his application has been refused approval by the subdivision approval authority, he may appeal to the Alberta Planning Board. Most applications are approved, once the requirements of the local authority have been met. Only one-sixth of all applications, on average, are appealed.

The Alberta Planning Board will hold a hearing into the appeal and may decide in favour of the appellant or not. In reaching its decision, the Board must have regard to the regional and municipal plans and shall conform with the use of land referred to in a land use bylaw. The Board will assess the merits of the appeal based on the facts presented at the hearing, and the relevant statutory documents.

RESEARCH ON THE IMPACT OF BOARD APPEAL DECISIONS AGRICULTURAL LAND

Origins of Study

During the summer of 1983, a study was conducted into the extent to which decisions of the Alberta Planning Board, with regard to appeals on subdivision applications, had an impact on the conversion of better agricultural land to other uses. The research was carried out by staff of Inter-Agency Planning Branch, Alberta Municipal Affairs, on behalf of the Board.

Methodology

A total of 1026 appeals were analyzed for three time periods — January to June 1979, January to June 1981, and January to June 1983. These periods were selected because it was necessary to have a smaller sample to work on, given resource and time constraints, and they covered both high and low seasonal periods of development activity, as well as "boom" and "bust" conditions in the broader economy.

The information that was examined in the Board orders was detailed and thorough, covering proposed and existing land uses, soil type, topographic concerns, locational considerations and so forth. The Board orders also reflected information on the original application, the comments of the reviewing agencies, and the decision of the S.A.A.

The appeals are classified in a number of categories. The various categories illustrate that the origins and outcomes of the appeals were diverse and complex. There are six categories, as follows:

1. **Conditionally approved by the S.A.A.**
The decision to approve the subdivisions was made by the subdivision approval authority (SAA) based on information submitted to it by the applicant, planning staff analysis, and so forth, taking into consideration the requirements of the land use bylaw. The application was appealed to the Board because the applicant did not agree with the conditions imposed by the SAA.
2. **Dismissed by the Board**
These appeals were dismissed by the Board, which agreed, in effect, with the decision of the SAA to dismiss them. In other words, the Board supported the SAA in its decision not to approve the application.
3. **Urban subdivision**
These are appeals upheld by the Board, which originate in an urban municipality or hamlet.
4. **Rural non-agricultural uses**
These appeals were upheld by the Board but they dealt with cases where the land had little agricultural potential or where the land had been previously subdivided to the extent that it was no longer viable to farm.
5. **Other agricultural uses**
These appeals were upheld by the Board and resulted in the subdivision of both marginal and better agricultural land (poorer land, intensive agricultural use, farmland separation, 80 acre spots). These types of appeals can be used for agriculture after subdivision in areas where the original land use did not result in better agricultural land being created.
6. **Better agricultural land converted to other uses in rural areas**
These appeals were upheld by the Board and resulted in the subdivision of better agricultural land (Canada Land Inventory classes 1 to 4) or poorer lands which were under cultivation.

DIAGRAM 1
Disposition of
Subdivision
Applications,
January - June
1981 and 1983

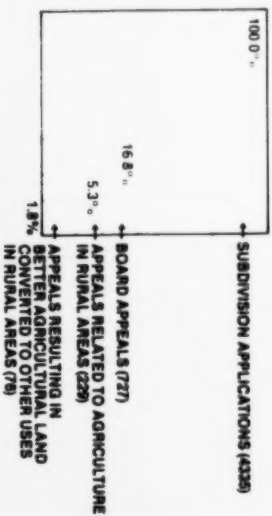
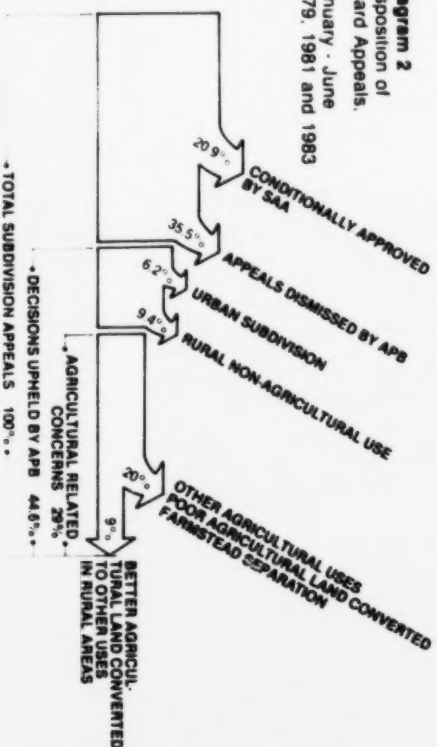


Diagram 2
Disposition of
Board Appeals,
January - June
1979, 1981 and 1983



ON THE CONVERSION OF

Findings

1. Most subdivisions are dealt with locally, with the appeal role of the Alberta Planning Board affecting only a small proportion.
For the periods January to June 1981 and January to June 1983, a total of 4335 subdivision applications were submitted to subdivision approval authorities. Most of these — 83 percent — were approved by the authority concerned; that is, by the regional planning commission, municipality or the Department of Municipal Affairs, for the area not covered by a regional planning commission. (Diagram 1)
Seventeen percent of the total number of applications resulted in an appeal to the Board. Five percent of the total were upheld by the Board, and were related to agriculture in rural areas. This 5 percent having something to do with agriculture includes such things as farmstead separations, 80 acre splits, intensive agricultural use, separation of assets; land of poor quality for cultivation purposes; as well as better quality lands. When the non "loss-related" subdivisions are separated from the total, less than 2 percent of all subdivision applications appear to result in better agricultural land (in rural areas) being converted to other uses.
2. Of the subdivisions appealed to the Board, only a small proportion may potentially result in the conversion of better agricultural land to other uses.
Of the 1026 appeals made to the Board for the time periods sampled, 56 percent were either dismissed by the Board or related to conditions imposed by the subdivision approval authority. (Diagram 2)
Roughly 45 percent of the appeals were upheld; that is, the Board supported the applicant's case. Twenty nine percent of the total appeals were both upheld by the Board and related in some way to agricultural concerns in rural areas, while roughly sixteen percent were composed of applications for urban subdivision (6 percent) and rural non-agricultural uses (9 percent).
Of this 29 percent affecting agriculture, the largest part (20 percent) related to such concerns as farmstead separation, 80 acre splits, intensive agricultural use, separation assets, or the land was of poor quality for cultivation purposes. Generally speaking, these subdivisions would not result in the conversion of agricultural land to non-agricultural uses.
This leaves only 9 percent of the total appeals to the Board leading to the conversion of better agricultural land to other (nonagricultural) uses.
The two leading reasons for converting better agricultural land were because it was a "first-parcel out", or the land was already fragmented by road, rail, and so forth to the extent that the parcel was not sufficiently large to be financially viable for agricultural purposes. Other reasons include compassionate grounds subdivision for agricultural infrastructure (i.e. a fertilizer distribution facility), municipal services (i.e. sewage lagoon), recreational facilities, and so forth.

The Board, in its subdivision appeal role, has had limited impact on the conversion of better agricultural land to other uses. An analysis of over 1000 subdivision appeals, for three six-month periods (1979-83) revealed that between a third and a quarter of all decisions related to agricultural conservation matters. Of the total appeals heard by the Board, about nine percent resulted in the conversion of better agricultural land to other uses.

An examination of these appeal decisions indicates that the greatest proportion were made for acceptable reasons, given the nature of the Board's quasi-judicial role.

A WORKABLE APPROACH TO A COMPLEX SITUATION

The Provincial Government has a commitment to the conservation of agricultural land and, as this booklet demonstrates, has put in place a set of detailed policies to ensure that adequate attention is paid to this issue by all those involved in the planning process.

The issue of conserving agricultural land is a complex one, involving the rights of the individual landowner as well as those of the broader community, including a number of organizations and levels of governments. All are involved in the making of trade-offs between the needs of a growing economy for land for residential, commercial and industrial development, and the need to conserve the best agricultural lands.

It is the position of the Alberta Planning Board that with the exception of the prohibition against country residential land uses, the higher the quality of land in terms of agricultural capability, the more intense the alternate use must be to justify the conversion. The conversion of agricultural land to nonagricultural uses should only occur when it is in the greater public interest. The Board's Guidelines, Framework and Rural

Industrial Land Use documents elaborate upon this basic principle, providing comprehensive guidance to all those involved in the planning process.

It is the view of the Board that the implementation of these principles and guidelines is best made by local people who are in a position to know the detailed circumstances and are accountable to citizens in their area. This combination of local implementation, a regional planning framework, and Provincial guiding policies provides a balance which takes into account the competing interests of the individual and the community, and the need to maintain flexibility in a complex, diversified economy.

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Alberta Planning Board: Decision and Review Reports on Regional Plans (recent):

- **A Decision Report — Battle River Regional Plan**, As Approved at the Meeting of the Alberta Planning Board; July 7, 1982
- **A Decision Report — Calgary Regional Plan**, As Approved at the Meeting of the Alberta Planning Board; April 8, 1983
- **A Review Report — Draft Palliser Regional Plan**, As Approved at the Meeting of the Alberta Planning Board; January 4, 1983
- **A Review Report — Oldman River Proposed Regional Plan**; As Approved at the Meeting of the Alberta Planning Board; July 25, 1983
- **A Review Report — South Peace Proposed Regional Plan**, As Approved at the Meeting of the Alberta Planning Board; July 14, 1983
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Planning Act, R.S.A. 1980

Subdivision Regulation, Alta. Reg. 132/78 as amended

Planning in Alberta: A Guide and Directory, and Alberta Planning Board's Policy Documents and Reports may be obtained upon request to:

Inter-Agency Planning Branch Department of Municipal Affairs 8th Floor, Jarvis Building 9925 - 107 Street Edmonton, Alberta T5K 2H9	or	Alberta Planning Board 9th Floor, Jarvis Building 9925 - 107 Street Edmonton, Alberta T5K 2H9
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